

FIRST REGULAR SESSION

HOUSE BILL NO. 775

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HAMPTON (Sponsor),
REDMON AND CURTMAN (Co-sponsors).

1395L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 208.275 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 555 merged with senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session and section 208.275 as enacted by senate committee substitute for house committee substitute for house bill no. 464, ninety-sixth general assembly, first regular session, and section 301.580 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 301.3166 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3168 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3170 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.309 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session and section 302.309 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 350.016 as enacted by house committee substitute for senate bill no. 84, eighty-seventh general assembly, first regular session, and section 390.280 as enacted by conference committee substitute for house committee substitute for senate substitute for senate

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

committee substitute for senate bill no. 470, ninety-sixth general assembly, second regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, and to enact in lieu thereof one new section for the sole purpose of repealing multiple versions of statutes, with an effective date for a certain section.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 208.275 as enacted by senate substitute for senate committee substitute for house committee substitute for house bill no. 555 merged with senate substitute no. 2 for house bill no. 648, ninety-sixth general assembly, first regular session and section 208.275 as enacted by senate committee substitute for house committee substitute for house bill no. 464, ninety-sixth general assembly, first regular session, and section 301.580 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session, and section 301.3166 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3168 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 301.3170 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 302.309 as enacted by conference committee substitute for senate substitute for senate committee substitute for house committee substitute for house bill no. 1402, ninety-sixth general assembly, second regular session and section 302.309 as enacted by conference committee substitute for house committee substitute no. 2 for senate committee substitute for senate bill no. 480, ninety-sixth general assembly, second regular session, and section 350.016 as enacted by house committee substitute for senate bill no. 84, eighty-seventh general assembly, first regular session, and section 390.280 as enacted by conference committee substitute for house committee substitute for senate substitute for senate committee substitute for senate bill no. 470, ninety-sixth general assembly, second regular session, and section 476.055 as enacted by conference committee substitute for house committee substitute for senate bill no. 636, ninety-sixth general assembly, second regular session, RSMo, are repealed and one new section enacted in lieu thereof, to be known as section 302.309, to read as follows:

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts, the director of revenue, or a commissioner operating under section 478.007 shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs;
- (e) Seeking the required services of a certified ignition interlock device provider; or
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator;

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has

37 discretion to grant the limited driving privilege to the person solely for the purpose of operating
38 a vehicle whose owner has complied with chapter 303 for that vehicle, and the limited driving
39 privilege must state such restriction. When operating such vehicle under such restriction the
40 person shall carry proof that the owner has complied with chapter 303 for that vehicle.

41 (4) No limited driving privilege shall be issued to any person otherwise eligible under
42 the provisions of paragraph (a) of subdivision (6) of this subsection on a license revocation
43 resulting from a conviction under subdivision (9) of subsection 1 of section 302.302, or a license
44 denial under paragraph (a) or (b) of subdivision (8) of this subsection, **or a license revocation**
45 **under paragraph (h) of subdivision (6) of this subsection**, until the applicant has filed proof
46 with the department of revenue that any motor vehicle operated by the person is equipped with
47 a functioning, certified ignition interlock device as a required condition of limited driving
48 privilege. **The ignition interlock device required for obtaining a limited driving privilege**
49 **under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo**
50 **identification technology and global positioning system features.**

51 (5) The court order or the director's grant of the limited or restricted driving privilege
52 shall indicate the termination date of the privilege, which shall be not later than the end of the
53 period of suspension or revocation. A copy of any court order shall be sent by the clerk of the
54 court to the director, and a copy shall be given to the driver which shall be carried by the driver
55 whenever such driver operates a motor vehicle. The director of revenue upon granting a limited
56 driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant
57 shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction
58 which results in the assessment of points pursuant to section 302.302, other than a violation of
59 a municipal stop sign ordinance where no accident is involved, against a driver who is operating
60 a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points
61 are assessed to the person's driving record. If the date of arrest is prior to the issuance of the
62 limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain
63 proof of financial responsibility, as required by chapter 303, or to maintain proof of installation
64 of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege.
65 The director shall notify by ordinary mail the driver whose privilege is so terminated.

66 (6) Except as provided in subdivision (8) of this subsection, no person is eligible to
67 receive a limited driving privilege who at the time of application for a limited driving privilege
68 has previously been granted such a privilege within the immediately preceding five years, or
69 whose license has been suspended or revoked for the following reasons:

70 (a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar
71 provision of any federal or state law, or a municipal or county law where the judge in such case
72 was an attorney and the defendant was represented by or waived the right to an attorney in

73 writing, until the person has completed the first thirty days of a suspension or revocation imposed
74 pursuant to this chapter;

75 (b) A conviction of any felony in the commission of which a motor vehicle was used;

76 (c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5),
77 (6), (7), (8), (9), (10) or (11) of **subsection 1 of** section 302.060;

78 (d) Because of operating a motor vehicle under the influence of narcotic drugs, a
79 controlled substance as defined in chapter 195, or having left the scene of an accident as
80 provided in section 577.060;

81 (e) Due to a revocation for the first time for failure to submit to a chemical test pursuant
82 to section 577.041 or due to a refusal to submit to a chemical test in any other state, if such
83 person has not completed the first ninety days of such revocation;

84 (f) Violation more than once of the provisions of section 577.041 or a similar implied
85 consent law of any other state; [or]

86 (g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not
87 completed the first thirty days of such suspension, provided the person is not otherwise ineligible
88 for a limited driving privilege; or

89 (h) Due to a revocation pursuant to subsection 2 of section 302.525 if such person has
90 not completed **the first forty-five days of** such revocation, **provided the person is not**
91 **otherwise ineligible for a limited driving privilege.**

92 (7) No person who possesses a commercial driver's license shall receive a limited driving
93 privilege issued for the purpose of operating a commercial motor vehicle if such person's driving
94 privilege is suspended, revoked, cancelled, denied, or disqualified. Nothing in this section shall
95 prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial
96 motor vehicle provided that pursuant to the provisions of this section, the applicant is not
97 otherwise ineligible for a limited driving privilege.

98 (8) (a) Provided that pursuant to the provisions of this section, the applicant is not
99 otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the
100 manner prescribed in this subsection, allow a person who has had such person's license to operate
101 a motor vehicle revoked where that person cannot obtain a new license for a period of ten years,
102 as prescribed in subdivision (9) of subsection 1 of section 302.060, to apply for a limited driving
103 privilege pursuant to this subsection if such person has served at least [three years of such
104 disqualification or revocation] **forty-five days of such revocation.** Such person shall present
105 evidence satisfactory to the court or the director that such person has not been convicted of any
106 offense related to alcohol, controlled substances or drugs during the preceding [three years]
107 **forty-five days** and that the person's habits and conduct show that the person no longer poses
108 a threat to the public safety of this state. The court or the director shall review the results of a

criminal history check prior to granting any limited privilege under this subdivision. If [the court or the director finds that] the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding three years, **excluding the offenses which caused the ten-year license denial**, the court or the director shall not grant a limited driving privilege to the [applicant] **petitioner**.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of subsection 1 of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least [two years] **forty-five days** of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding [two years] **forty-five days** and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. The court or the director shall review the results of a criminal history check prior to granting any limited privilege under this subdivision. If [the court or director finds that] the petitioner has been convicted, pled guilty to, or been found guilty of, or has a pending charge for any offense related to alcohol, controlled substances, or drugs, or has any other alcohol-related enforcement contact as defined in section 302.525 during the preceding two years, **excluding the offenses which caused the five-year license denial**, the court or the director shall not grant a limited driving privilege to the [applicant] **petitioner**. **Nothing in this subdivision shall be interpreted to disallow any offense causing a five-year denial to subsequently cause an additional or longer denial.** Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of **subsection 1 of** section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the

145 circuit court of the county in which the person resides or the county in which is located the
146 person's principal place of business or employment within thirty days of the date of mailing of
147 the notice of denial. Such review shall be based upon the records of the department of revenue
148 and other competent evidence and shall be limited to a review of whether the applicant was
149 statutorily entitled to the limited driving privilege.

150 5. Any person who petitions a court or makes application with the director for a limited
151 driving privilege pursuant to paragraph (a) or (b) of subdivision (8) of subsection 3 of this
152 section shall make application with the Missouri state highway patrol as provided in section
153 43.540 and shall submit two sets of fingerprints collected pursuant to standards as determined
154 by the highway patrol. One set of fingerprints shall be used by the highway patrol to search the
155 criminal history repository and the second set shall be forwarded to the Federal Bureau of
156 Investigation for searching the federal criminal history files. At the time of application, the
157 applicant shall supply to the highway patrol the court name and case number for the court where
158 he or she has filed his or her petition for limited driving privileges. The applicant shall pay the
159 fee for the state criminal history record information pursuant to section 43.530 and pay the
160 appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history
161 record. The Missouri highway patrol, upon receipt of the results of the criminal history check,
162 shall forward the results to the circuit court designated by the applicant and to the department.
163 Notwithstanding the provisions of section 610.120, all records related to any criminal history
164 check shall be accessible and available to the director and the court.

165 6. The director of revenue shall promulgate rules and regulations necessary to carry out
166 the provisions of this section. Any rule or portion of a rule, as that term is defined in section
167 536.010, that is created under the authority delegated in this section shall become effective only
168 if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section
169 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the
170 general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove
171 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority
172 and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

2 [208.275. 1. As used in this section, unless the context otherwise
3 indicates, the following terms mean:

4 (1) "Elderly", any person who is sixty years of age or older;
5 (2) "Person with a disability", any person having a physical or mental
6 condition, either permanent or temporary, which would substantially impair
7 ability to operate or utilize available transportation.

8 2. There is hereby created the "Coordinating Council on Special
9 Transportation" within the Missouri department of transportation. The members
10 of the council shall be: two members of the senate appointed by the president pro
tem, who shall be from different political parties; two members of the house of

11 representatives appointed by the speaker, who shall be from different political
12 parties; the assistant for transportation of the Missouri department of
13 transportation, or his designee; the assistant commissioner of the department of
14 elementary and secondary education, responsible for special transportation, or his
15 designee; the director of the division of aging of the department of social
16 services, or his designee; the deputy director for developmental disabilities and
17 the deputy director for administration of the department of mental health, or their
18 designees; the executive secretary of the governor's committee on the
19 employment of the persons with a disability; and seven consumer representatives
20 appointed by the governor by and with the advice and consent of the senate, four
21 of the consumer representatives shall represent the elderly and three shall
22 represent persons with a disability. Two of such three members representing
23 persons with a disability shall represent those with physical disabilities.
24 Consumer representatives appointed by the governor shall serve for terms of
25 three years or until a successor is appointed and qualified. Of the members first
26 selected, two shall be selected for a term of three years, two shall be selected for
27 a term of two years, and three shall be selected for a term of one year. In the
28 event of the death or resignation of any member, his successor shall be appointed
29 to serve for the unexpired period of the term for which such member had been
30 appointed.

31 3. State agency personnel shall serve on the council without additional
32 appropriations or compensation. The consumer representatives shall serve
33 without compensation except for receiving reimbursement for the reasonable and
34 necessary expenses incurred in the performance of their duties on the council
35 from funds appropriated to the department of transportation. Legislative
36 members shall be reimbursed by their respective appointing bodies out of the
37 contingency fund for such body for necessary expenses incurred in the
38 performance of their duties.

39 4. Staff for the council shall be provided by the Missouri department of
40 transportation. The department shall designate a special transportation
41 coordinator who shall have had experience in the area of special transportation,
42 as well as such other staff as needed to enable the council to perform its duties.

43 5. The council shall meet at least quarterly each year and shall elect from
44 its members a chairman and a vice chairman.

45 6. The coordinating council on special transportation shall:

46 (1) Recommend and periodically review policies for the coordinated
47 planning and delivery of special transportation when appropriate;

48 (2) Identify special transportation needs and recommend agency funding
49 allocations and resources to meet these needs when appropriate;

50 (3) Identify legal and administrative barriers to effective service delivery;

51 (4) Review agency methods for distributing funds within the state and
52 make recommendations when appropriate;

53 (5) Review agency funding criteria and make recommendations when
54 appropriate;

55 (6) Review area transportation plans and make recommendations for plan
56 format and content;

57 (7) Establish measurable objectives for the delivery of transportation
58 services;

59 (8) Review annual performance data and make recommendations for
60 improved service delivery, operating procedures or funding when appropriate;

61 (9) Review local disputes and conflicts on special transportation and
62 recommend solutions.]
63

2 [208.275. 1. As used in this section, unless the context otherwise
indicates, the following terms mean:

3 (1) "Elderly", any person who is sixty years of age or older;

4 (2) "Handicapped", any person having a physical or mental condition,
5 either permanent or temporary, which would substantially impair ability to
6 operate or utilize available transportation.

7 2. There is hereby created the "Coordinating Council on Special
8 Transportation" within the Missouri department of transportation. The members
9 of the council shall be: the assistant for transportation of the Missouri
10 department of transportation, or his designee; the assistant commissioner of the
11 department of elementary and secondary education, responsible for special
12 transportation, or his designee; the director of the division of aging of the
13 department of social services, or his designee; the deputy director for mental
14 retardation/developmental disabilities and the deputy director for administration
15 of the department of mental health, or their designees; the executive secretary of
16 the governor's committee on the employment of the handicapped; and seven
17 consumer representatives appointed by the governor by and with the advice and
18 consent of the senate, four of the consumer representatives shall represent the
19 elderly and three shall represent the handicapped. Two of such three members
20 representing handicapped persons shall represent those with physical handicaps.
21 Consumer representatives appointed by the governor shall serve for terms of
22 three years or until a successor is appointed and qualified. Of the members first
23 selected, two shall be selected for a term of three years, two shall be selected for
24 a term of two years, and three shall be selected for a term of one year. In the
25 event of the death or resignation of any member, his successor shall be appointed
26 to serve for the unexpired period of the term for which such member had been
27 appointed.

28 3. State agency personnel shall serve on the council without additional
29 appropriations or compensation. The consumer representatives shall serve
30 without compensation except for receiving reimbursement for the reasonable and
31 necessary expenses incurred in the performance of their duties on the council
32 from funds appropriated to the department of transportation.

33 4. Staff for the council shall be provided by the Missouri department of
34 transportation. The department shall designate a special transportation
35 coordinator who shall have had experience in the area of special transportation,
36 as well as such other staff as needed to enable the council to perform its duties.

37 5. The council shall meet at least quarterly each year and shall elect from
38 its members a chairman and a vice chairman.

39 6. The coordinating council on special transportation shall:

40 (1) Recommend and periodically review policies for the coordinated
41 planning and delivery of special transportation when appropriate;

42 (2) Identify special transportation needs and recommend agency funding
43 allocations and resources to meet these needs when appropriate;

44 (3) Identify legal and administrative barriers to effective service delivery;

45 (4) Review agency methods for distributing funds within the state and
46 make recommendations when appropriate;

47 (5) Review agency funding criteria and make recommendations when
48 appropriate;

49 (6) Review area transportation plans and make recommendations for plan
50 format and content;

51 (7) Establish measurable objectives for the delivery of transportation
52 services;

53 (8) Review annual performance data and make recommendations for
54 improved service delivery, operating procedures or funding when appropriate;

55 (9) Review local disputes and conflicts on special transportation and
56 recommend solutions.

57 7. The provisions of this section shall expire on December 31, 2014.]
58

[301.580. 1. The department of revenue may issue special event motor
2 vehicle auction licenses under the provisions of this section. For purposes of this
3 section, a "special event motor vehicle auction" is a motor vehicle auction which:

4 (1) Ninety percent of the vehicles being auctioned are at least ten years
5 old or older;

6 (2) The licensee shall auction no more than three percent of the total
7 number of vehicles presented for auction which are owned and titled in the name
8 of the licensee or its owners; and

9 (3) The duration is no more than three consecutive calendar days and is
10 held no more than two times in a calendar year by a licensee.

11 2. A special event motor vehicle auction shall be considered a public
12 motor vehicle auction for purposes of sections 301.559 and 301.564.

13 3. Special event motor vehicle auction licensees shall be exempt from the
14 requirements of section 301.560, with the exception of subdivision (4) of
15 subsection 1 of section 301.560.

16 4. An application for a special event motor vehicle auction license must
17 be received by the department at least ninety days prior to the beginning of the
18 special event auction.

19 5. Applicants for a special motor vehicle auction are limited to no more
20 than two special event auctions in any calendar year. A separate application is
21 required for each special event motor vehicle auction.

22 6. At least ninety percent of the vehicles being auctioned at a special
23 event motor vehicle auction shall be ten years old or older. The licensee shall,
24 within ten days of the conclusion of a special event motor vehicle auction, submit
25 a report in the form approved by the director to the department that includes the
26 make, model, year, and vehicle identification number of each vehicle included
27 in the auction. Every vehicle included in the special event auction shall be listed,
28 including those vehicles that were auctioned and sold and those vehicles that
29 were auctioned but did not sell. Violation of this subsection is a class A
30 misdemeanor.

31 7. The applicant for the special event motor vehicle auction shall be
32 responsible for ensuring that a sales tax license or special event sales tax license
33 is obtained for the event if one is required.

34 8. The fee for a special event motor vehicle auction license shall be one
35 thousand dollars. For every vehicle auctioned in violation of subsection 6 of this
36 section, an administrative fee of five hundred dollars shall be paid to the
37 department. Such fees shall be deposited in like manner as other license fees of
38 this section.

39 9. In addition to the causes set forth in section 301.562, the department
40 may promulgate rules that establish additional causes to refuse to issue or to
41 revoke a special event license.

42 10. A special motor vehicle auction shall last no more than three
43 consecutive days.

44 11. The applicant for a special event motor vehicle auction shall be
45 registered to conduct business in this state.

46 12. Every applicant for a special event motor vehicle auction license shall
47 furnish with the application a corporate surety bond or an irrevocable letter of
48 credit as defined in section 400.5-102 issued by any state or federal financial
49 institution in the penal sum of one hundred thousand dollars on a form approved
50 by the department. The bond or irrevocable letter of credit shall be conditioned
51 upon the applicant complying with the provisions of the statutes applicable to a
52 special event auction license holder and the bond shall be an indemnity for any
53 loss sustained by reason of the acts of the person bonded when such acts
54 constitute grounds for the revocation or denial of a special event auction license.
55 The bond shall be executed in the name of the state of Missouri for the benefit
56 of all aggrieved parties or the irrevocable letter of credit shall name the state of
57 Missouri as the beneficiary. The aggregate liability of the surety or financial
58 institution to the aggrieved parties shall not exceed the amount of the bond or

59 irrevocable letter of credit. The proceeds of the bond or irrevocable letter of
60 credit shall be paid upon receipt by the department of a final judgment from a
61 Missouri court of competent jurisdiction against the principal and in favor of an
62 aggrieved party.

63 13. No dealer, driveaway, auction, or wholesale plates, or temporary
64 permit booklets, shall be issued in conjunction with a special event motor vehicle
65 auction license.

66 14. Any person or entity who sells a vehicle at a special event motor
67 vehicle auction shall provide, to the buyer, current contact information including,
68 but not limited to, name, address, and telephone number.

69 15. Any rule or portion of a rule, as that term is defined in section
70 536.010, that is created under the authority delegated in this section shall become
71 effective only if it complies with and is subject to all of the provisions of chapter
72 536 and, if applicable, section 536.028. This section and chapter 536 are
73 nonseverable and if any of the powers vested with the general assembly pursuant
74 to chapter 536 to review, to delay the effective date, or to disapprove and annul
75 a rule are subsequently held unconstitutional, then the grant of rulemaking
76 authority and any rule proposed or adopted after August 28, 2012, shall be invalid
77 and void.]
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2 [301.3166. 1. Notwithstanding any other provision of law, any member
3 of the National Wild Turkey Federation, after an annual payment of an
4 emblem-use fee to the National Wild Turkey Federation, may receive
5 personalized specialty license plates for any vehicle the member owns, either
6 solely or jointly, other than an apportioned motor vehicle or a commercial motor
7 vehicle licensed in excess of eighteen thousand pounds gross weight. The
8 National Wild Turkey Federation hereby authorizes the use of its official emblem
9 to be affixed on multiyear personalized specialty license plates as provided in this
10 section. Any contribution to the National Wild Turkey Federation derived from
11 this section, except reasonable administrative costs, shall be used solely for the
12 purposes of the National Wild Turkey Federation. Any member of the National
13 Wild Turkey Federation may annually apply for the use of the emblem.

14 2. Upon annual application and payment of a fifteen dollar emblem-use
15 contribution to the National Wild Turkey Federation, the National Wild Turkey
16 Federation shall issue to the vehicle owner, without further charge, an
17 emblem-use authorization statement, which shall be presented by the vehicle
18 owner to the director of revenue at the time of registration. Upon presentation
19 of the annual emblem-use authorization statement and payment of a fifteen dollar
20 fee in addition to the regular registration fees, and presentation of any documents
21 which may be required by law, the director of revenue shall issue to the vehicle
22 owner a personalized specialty license plate which shall bear the emblem of the
23 National Wild Turkey Federation. Such license plates shall be made with fully
reflective material with a common color scheme and design, shall be clearly

visible at night, and shall be aesthetically attractive, and prescribed by section 301.130. In addition, upon each set of license plates shall be inscribed, in lieu of the words "SHOW-ME STATE", the words "National Wild Turkey Federation". Notwithstanding the provisions of section 301.144, no additional fee shall be charged for the personalized specialty plates issued under this section.

3. A vehicle owner who was previously issued a plate with the National Wild Turkey Federation's emblem authorized by this section, but who does not provide an emblem-use authorization statement at a subsequent time of registration, shall be issued a new plate which does not bear the National Wild Turkey Federation's emblem, as otherwise provided by law. The director of revenue shall make necessary rules and regulations for the enforcement of this section, and shall design all necessary forms required by this section.

4. Prior to the issuance of a National Wild Turkey Federation specialty plate authorized under this section, the department of revenue must be in receipt of an application, as prescribed by the director, which shall be accompanied by a list of at least two hundred potential applicants who plan to purchase the specialty plate, the proposed art design for the specialty license plate, and an application fee, not to exceed five thousand dollars, to defray the department's cost for issuing, developing, and programming the implementation of the specialty plate. Once the plate design is approved, the director of revenue shall not authorize the manufacture of the material to produce such personalized specialty license plates with the individual seal, logo, or emblem until such time as the director has received two hundred applications, the fifteen dollar specialty plate fee per application, and emblem-use statements, if applicable, and other required documents or fees for such plates.]

[301.3168. 1. Notwithstanding any other provision of law to the contrary, any person, after an annual payment of an emblem-use fee to the American Red Cross Trust Fund, may receive specialty personalized license plates for any vehicle the member owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of eighteen thousand pounds gross weight. The Missouri Chapter of the American Red Cross hereby authorizes the use of its official emblem to be affixed on specialty license plates within the plate area prescribed by the director of revenue and as provided in this section. Any contribution to the American Red Cross derived from this section, except reasonable administrative costs, shall be used solely for the purposes of the American Red Cross. Any person may annually apply for the use of the emblem.

2. Upon annual application and payment of a twenty-five dollar emblem-use contribution to the American Red Cross Trust Fund, the Missouri Chapter of the American Red Cross shall issue to the vehicle owner, without further charge, an emblem-use authorization statement, which shall be presented by the vehicle owner to the director of revenue at the time of registration. Upon

18 presentation of the annual emblem-use authorization statement and payment of
19 a twenty-five dollar fee in addition to the regular registration fees, and
20 presentation of any documents which may be required by law, the director of
21 revenue shall issue to the vehicle owner a specialty personalized license plate
22 which shall bear the emblem of the Missouri Chapter of the American Red Cross,
23 and the words "PROUD SUPPORTER" at the bottom of the plate, in a manner
24 prescribed by the director of revenue. Such license plates shall be made with
25 fully reflective material with a common color scheme and design of the standard
26 license plate, shall be clearly visible at night, shall have a reflective white
27 background in the area of the plate configuration, and shall be aesthetically
28 attractive, as prescribed by section 301.130. Notwithstanding the provisions of
29 section 301.144, no additional fee shall be charged for the personalization of
30 license plates issued under this section.

31 3. A vehicle owner who was previously issued a plate with the Missouri
32 Chapter of the American Red Cross' emblem authorized by this section, but who
33 does not provide an emblem-use authorization statement at a subsequent time of
34 registration, shall be issued a new plate which does not bear the Missouri Chapter
35 of the American Red Cross' emblem, as otherwise provided by law. The director
36 of revenue shall make necessary rules and regulations for the enforcement of this
37 section, and shall design all necessary forms required by this section.

38 4. Prior to the issuance of a Missouri Chapter of the American Red Cross
39 specialty personalized plate authorized under this section, the department of
40 revenue must be in receipt of an application, as prescribed by the director, which
41 shall be accompanied by a list of at least two hundred potential applicants who
42 plan to purchase the specialty personalized plate, the proposed art design for the
43 specialty license plate, and an application fee, not to exceed five thousand dollars,
44 to defray the department's cost for issuing, developing, and programming the
45 implementation of the specialty plate. Once the plate design is approved, the
46 director of revenue shall not authorize the manufacture of the material to produce
47 such specialized license plates with the individual seal, logo, or emblem until
48 such time as the director has received two hundred applications, the fifteen dollar
49 specialty plate fee per application, and emblem-use statements, if applicable, and
50 other required documents or fees for such plates.

51 5. The specialty personalized plate shall not be redesigned unless the
52 organization pays the director in advance for all redesigned plate fees for the plate
53 established in this section. If a member chooses to replace the specialty
54 personalized plate for the new design the member must pay the replacement fees
55 prescribed in section 301.300 for the replacement of the existing specialty
56 personalized plate. All other applicable license plate fees in accordance with this
57 chapter shall be required.]
58

2 [301.3170. 1. Any member of the National Rifle Association, after an
annual payment of an emblem-use authorization fee to the National Rifle

3 Association, may receive special license plates for any vehicle the member owns,
4 either solely or jointly, other than an apportioned motor vehicle or a commercial
5 motor vehicle licensed in excess of eighteen thousand pounds gross weight. The
6 National Rifle Association hereby authorizes the use of its official emblem to be
7 affixed on multiyear personalized license plates within the plate area prescribed
8 by the director of revenue and as provided in this section. Any contribution to
9 the National Rifle Association derived from this section, except reasonable
10 administrative costs, shall be used solely for the purposes of the National Rifle
11 Association. Any member of the National Rifle Association may annually apply
12 for the use of the emblem.

13 2. Upon annual application and payment of a twenty-five dollar
14 emblem-use contribution to the National Rifle Association, that organization
15 shall issue to the vehicle owner, without further charge, an emblem-use
16 authorization statement, which shall be presented by the vehicle owner to the
17 director of revenue at the time of registration. Upon presentation of the annual
18 statement and payment of a fifteen dollar fee in addition to the regular
19 registration fees, and presentation of any documents which may be required by
20 law, the director of revenue shall issue to the vehicle owner a special license plate
21 which shall bear the emblem of the National Rifle Association and the words
22 "National Rifle Association" in place of the words "SHOW-ME STATE". Such
23 license plates shall be made with fully reflective material with a common color
24 scheme and design of the standard license plate, shall be clearly visible at night,
25 shall have a reflective white background in the area of the plate configuration,
26 and shall be aesthetically attractive, as prescribed by section 301.130.
27 Notwithstanding the provisions of section 301.144, no additional fee shall be
28 charged for the personalization of license plates pursuant to this section.

29 3. A vehicle owner who was previously issued a plate with the National
30 Rifle Association emblem authorized by this section, but who does not provide
31 an emblem-use authorization statement at a subsequent time of registration, shall
32 be issued a new plate which does not bear the organization's emblem, as
33 otherwise provided by law. The director of revenue shall make necessary rules
34 and regulations for the enforcement of this section, and shall design all necessary
35 forms required by this section.]

36

2 [302.309. 1. Whenever any license is suspended pursuant to sections
3 302.302 to 302.309, the director of revenue shall return the license to the operator
4 immediately upon the termination of the period of suspension and upon
5 compliance with the requirements of chapter 303.

6 2. Any operator whose license is revoked pursuant to these sections, upon
7 the termination of the period of revocation, shall apply for a new license in the
8 manner prescribed by law.

9 3. (1) All circuit courts, the director of revenue, or a commissioner
operating under section 478.007 shall have jurisdiction to hear applications and

10 make eligibility determinations granting limited driving privileges. Any
11 application may be made in writing to the director of revenue and the person's
12 reasons for requesting the limited driving privilege shall be made therein.

13 (2) When any court of record having jurisdiction or the director of
14 revenue finds that an operator is required to operate a motor vehicle in connection
15 with any of the following:

16 (a) A business, occupation, or employment;
17 (b) Seeking medical treatment for such operator;
18 (c) Attending school or other institution of higher education;
19 (d) Attending alcohol or drug treatment programs;
20 (e) Seeking the required services of a certified ignition interlock device
21 provider; or

22 (f) Any other circumstance the court or director finds would create an
23 undue hardship on the operator;

24 the court or director may grant such limited driving privilege as the circumstances
25 of the case justify if the court or director finds undue hardship would result to the
26 individual, and while so operating a motor vehicle within the restrictions and
27 limitations of the limited driving privilege the driver shall not be guilty of
28 operating a motor vehicle without a valid license.

29 (3) An operator may make application to the proper court in the county
30 in which such operator resides or in the county in which is located the operator's
31 principal place of business or employment. Any application for a limited driving
32 privilege made to a circuit court shall name the director as a party defendant and
33 shall be served upon the director prior to the grant of any limited privilege, and
34 shall be accompanied by a copy of the applicant's driving record as certified by
35 the director. Any applicant for a limited driving privilege shall have on file with
36 the department of revenue proof of financial responsibility as required by chapter
37 303. Any application by a person who transports persons or property as classified
38 in section 302.015 may be accompanied by proof of financial responsibility as
39 required by chapter 303, but if proof of financial responsibility does not
40 accompany the application, or if the applicant does not have on file with the
41 department of revenue proof of financial responsibility, the court or the director
42 has discretion to grant the limited driving privilege to the person solely for the
43 purpose of operating a vehicle whose owner has complied with chapter 303 for
44 that vehicle, and the limited driving privilege must state such restriction. When
45 operating such vehicle under such restriction the person shall carry proof that the
46 owner has complied with chapter 303 for that vehicle.

47 (4) No limited driving privilege shall be issued to any person otherwise
48 eligible under the provisions of paragraph (a) of subdivision (6) of this subsection
49 on a license revocation resulting from a conviction under subdivision (9) of
50 subsection 1 of section 302.302, or a license denial under paragraph (a) or (b) of
51 subdivision (8) of this subsection, or a license revocation under paragraph (h) of
52 subdivision (6) of this subsection, until the applicant has filed proof with the

department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege. The ignition interlock device required for obtaining a limited driving privilege under paragraph (a) or (b) of subdivision (8) of this subsection shall have photo identification technology and global positioning system features.

(5) The court order or the director's grant of the limited or restricted driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. The court order or the director's grant of the limited or restricted driving privilege shall also indicate whether a functioning, certified ignition interlock device is required as a condition of operating a motor vehicle with the limited driving privilege. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege. The director shall notify by ordinary mail the driver whose privilege is so terminated.

(6) Except as provided in subdivision (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

96 (d) Because of operating a motor vehicle under the influence of narcotic
97 drugs, a controlled substance as defined in chapter 195, or having left the scene
98 of an accident as provided in section 577.060;

99 (e) Due to a revocation for the first time for failure to submit to a
100 chemical test pursuant to section 577.041 or due to a refusal to submit to a
101 chemical test in any other state, if such person has not completed the first ninety
102 days of such revocation;

103 (f) Violation more than once of the provisions of section 577.041 or a
104 similar implied consent law of any other state;

105 (g) Due to a suspension pursuant to subsection 2 of section 302.525 and
106 who has not completed the first thirty days of such suspension, provided the
107 person is not otherwise ineligible for a limited driving privilege; or

108 (h) Due to a revocation pursuant to subsection 2 of section 302.525 if
109 such person has not completed the first forty-five days of such revocation,
110 provided the person is not otherwise ineligible for a limited driving privilege.

111 (7) No person who possesses a commercial driver's license shall receive
112 a limited driving privilege issued for the purpose of operating a commercial
113 motor vehicle if such person's driving privilege is suspended, revoked, cancelled,
114 denied, or disqualified. Nothing in this section shall prohibit the issuance of a
115 limited driving privilege for the purpose of operating a noncommercial motor
116 vehicle provided that pursuant to the provisions of this section, the applicant is
117 not otherwise ineligible for a limited driving privilege.

118 (8) (a) Provided that pursuant to the provisions of this section, the
119 applicant is not otherwise ineligible for a limited driving privilege, a circuit court
120 or the director may, in the manner prescribed in this subsection, allow a person
121 who has had such person's license to operate a motor vehicle revoked where that
122 person cannot obtain a new license for a period of ten years, as prescribed in
123 subdivision (9) of section 302.060, to apply for a limited driving privilege
124 pursuant to this subsection if such person has served at least forty-five days of
125 such disqualification or revocation. Such person shall present evidence
126 satisfactory to the court or the director that such person has not been convicted
127 of any offense related to alcohol, controlled substances or drugs during the
128 preceding forty-five days and that the person's habits and conduct show that the
129 person no longer poses a threat to the public safety of this state.

130 (b) Provided that pursuant to the provisions of this section, the applicant
131 is not otherwise ineligible for a limited driving privilege or convicted of
132 involuntary manslaughter while operating a motor vehicle in an intoxicated
133 condition, a circuit court or the director may, in the manner prescribed in this
134 subsection, allow a person who has had such person's license to operate a motor
135 vehicle revoked where that person cannot obtain a new license for a period of
136 five years because of two convictions of driving while intoxicated, as prescribed
137 in subdivision (10) of section 302.060, to apply for a limited driving privilege
138 pursuant to this subsection if such person has served at least forty-five days of

such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding forty-five days and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

(9) A DWI docket or court established under section 478.007 may grant a limited driving privilege to a participant in or graduate of the program who would otherwise be ineligible for such privilege under another provision of law. The DWI docket or court shall not grant a limited driving privilege to a participant during his or her initial forty-five days of participation.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.]

[350.016. The restrictions set forth in section 350.015 shall not apply to agricultural land in counties located north of the Missouri River and west of the Chariton River and having a population of more than three thousand five hundred and less than seven thousand inhabitants which border at least two other counties having a population of more than three thousand five hundred and less than seven thousand inhabitants which is used by a corporation or limited partnership for the production of swine or swine products.]

[390.280. 1. Certificates or permits, or both, which were issued before January 1, 1995, and which authorized a person to transport any property in

3 intrastate commerce by motor vehicle as a common carrier or contract carrier, or
4 both, are void, except that to the extent such certificates or permits, or portions
5 thereof, authorized a person to transport household goods over irregular routes
6 or passengers in intrastate commerce, or any property or passengers in interstate
7 commerce, those certificates or permits, or portions thereof, are exempt from the
8 provisions of this subsection.

9 2. Persons who owned certificates or permits, or both, that were in active
10 status with the division on December 31, 1994, and persons to whom the division
11 issued certificates and permits after December 31, 1994, pursuant to emergency
12 rules adopted by the division, are deemed to be qualified as registered property
13 carriers, unless the person's certificate or permit has been suspended, revoked or
14 transferred to another person as provided by law. A person deemed qualified
15 pursuant to this subsection is not required to file an application pursuant to
16 section 390.290 to continue providing intrastate transportation as a registered
17 property carrier, but rather, upon such person's compliance with the licensing and
18 insurance requirements of the division the person is deemed to have a property
19 carrier registration in force as required pursuant to section 390.270, authorizing
20 the person to transport property except household goods in intrastate commerce
21 on the public highways, unless the person's property carrier registration is
22 suspended, revoked or transferred to another person as provided by law. Within
23 a reasonable time after August 28, 1996, the division shall issue property carrier
24 registrations to all persons who are deemed to be qualified as registered property
25 carriers and deemed to have property carrier registrations in force pursuant to this
26 subsection.

27 3. Notwithstanding any provision of this section to the contrary, this
28 section shall not be construed as authorizing any person to transport any
29 hazardous material as designated in Title 49, Code of Federal Regulations, except
30 hazardous materials which that person was expressly authorized to transport in
31 intrastate commerce within this state on August 28, 1996. A person may file an
32 application for property carrier registration pursuant to section 390.290 to
33 transport additional hazardous materials. Nothing in this section shall be
34 construed to conflict with chapter 260, or of relieving an applicant of any duty to
35 obtain a license pursuant to chapter 260.

36 4. Notwithstanding any provision of the law, any geographic restriction
37 or provision limiting the carrier's scope of authority to particular routes within
38 this state contained in a certificate or permit, or both, authorizing the
39 transportation of household goods in intrastate commerce, which was issued prior
40 to August 28, 2012, and any similar provision contained in a carrier's tariff
41 schedule filed prior to such date, shall be deemed void. In lieu of the geographic
42 restrictions expressed in such certificates, permits, or tariff schedules, a motor
43 carrier shall be authorized to provide intrastate transportation of household goods
44 between all points and destinations within the state until such time the
45 certificates, permits, and tariff schedules are reissued or amended to reflect the

46 motor carrier's statewide operating authority. Nothing contained in the provisions
47 of sections 390.051 to 390.116 shall be construed to exempt or to alter the
48 obligation of compliance by carriers transporting passengers point-to-point within
49 the jurisdiction described in 67.1802 from the provisions of sections 67.1800 to
50 67.1822.]

51

2 [476.055. 1. There is hereby established in the state treasury the
3 "Statewide Court Automation Fund". All moneys collected pursuant to section
4 488.027, as well as gifts, contributions, devises, bequests, and grants received
5 relating to automation of judicial record keeping, and moneys received by the
6 judicial system for the dissemination of information and sales of publications
7 developed relating to automation of judicial record keeping, shall be credited to
8 the fund. Moneys credited to this fund may only be used for the purposes set
9 forth in this section and as appropriated by the general assembly. Any
10 unexpended balance remaining in the statewide court automation fund at the end
11 of each biennium shall not be subject to the provisions of section 33.080
12 requiring the transfer of such unexpended balance to general revenue; except that,
13 any unexpended balance remaining in the fund on September 1, 2015, shall be
14 transferred to general revenue.

15 2. The statewide court automation fund shall be administered by a court
16 automation committee consisting of the following: the chief justice of the
17 supreme court, a judge from the court of appeals, four circuit judges, four
18 associate circuit judges, four employees of the circuit court, the commissioner of
19 administration, two members of the house of representatives appointed by the
20 speaker of the house, two members of the senate appointed by the president pro
21 tem of the senate and two members of the Missouri Bar. The judge members and
22 employee members shall be appointed by the chief justice. The commissioner of
23 administration shall serve ex officio. The members of the Missouri Bar shall be
24 appointed by the board of governors of the Missouri Bar. Any member of the
25 committee may designate another person to serve on the committee in place of
26 the committee member.

27 3. The committee shall develop and implement a plan for a statewide
28 court automation system. The committee shall have the authority to hire
29 consultants, review systems in other jurisdictions and purchase goods and
30 services to administer the provisions of this section. The committee may
31 implement one or more pilot projects in the state for the purposes of determining
32 the feasibility of developing and implementing such plan. The members of the
33 committee shall be reimbursed from the court automation fund for their actual
34 expenses in performing their official duties on the committee.

35 4. Any purchase of computer software or computer hardware that exceeds
36 five thousand dollars shall be made pursuant to the requirements of the office of
administration for lowest and best bid. Such bids shall be subject to acceptance

37 by the office of administration. The court automation committee shall determine
38 the specifications for such bids.

39 5. The court automation committee shall not require any circuit court to
40 change any operating system in such court, unless the committee provides all
41 necessary personnel, funds and equipment necessary to effectuate the required
42 changes. No judicial circuit or county may be reimbursed for any costs incurred
43 pursuant to this subsection unless such judicial circuit or county has the approval
44 of the court automation committee prior to incurring the specific cost.

45 6. Any court automation system, including any pilot project, shall be
46 implemented, operated and maintained in accordance with strict standards for the
47 security and privacy of confidential judicial records. Any person who knowingly
48 releases information from a confidential judicial record is guilty of a class B
49 misdemeanor. Any person who, knowing that a judicial record is confidential,
50 uses information from such confidential record for financial gain is guilty of a
51 class D felony.

52 7. On the first day of February, May, August and November of each year,
53 the court automation committee shall file a report on the progress of the statewide
54 automation system with the joint legislative committee on court automation.
55 Such committee shall consist of the following:

- 56 (1) The chair of the house budget committee;
57 (2) The chair of the senate appropriations committee;
58 (3) The chair of the house judiciary committee;
59 (4) The chair of the senate judiciary committee;
60 (5) One member of the minority party of the house appointed by the
61 speaker of the house of representatives; and
62 (6) One member of the minority party of the senate appointed by the
63 president pro tempore of the senate.

64 8. The members of the joint legislative committee shall be reimbursed
65 from the court automation fund for their actual expenses incurred in the
66 performance of their official duties as members of the joint legislative committee
67 on court automation.

68 9. Section 488.027 shall expire on September 1, 2015. The court
69 automation committee established pursuant to this section may continue to
70 function until completion of its duties prescribed by this section, but shall
71 complete its duties prior to September 1, 2017.

72 10. This section shall expire on September 1, 2017.]
73

Section B. The repeal and reenactment of section 302.309 of this act shall become
2 effective October 1, 2013.

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